

2191. Misbranding of Jaques' Poultry Preparation, Jaques' Worm Powder, Jaques' B C R, and Jaques' Inhalant Spray. U. S. v. Frank M. Jaques (F. M. Jaques Co.). Plea of guilty. Fine, \$400. (F. D. C. No. 20167. Sample Nos. 18678-H, 19188-H to 19190-H, incl.)

INFORMATION FILED: On or about June 11, 1947, Western District of Wisconsin, against Frank M. Jaques, trading as the F. M. Jaques Company, La Crosse, Wis.

ALLEGED SHIPMENT: On or about May 28 and 31 and June 14, 1945, from the State of Wisconsin into the State of Minnesota.

PRODUCT: Analyses disclosed that the *Jaques' Poultry Preparation* was a solution containing essentially potassium chloride, magnesium sulfate, potassium dichromate, and small amounts of nitrate, but containing no chlorates; that the *Jaques' Worm Powder* was a reddish-colored powder containing essentially plant material, including 32.76 percent ether extract (kamala resins) and 2.82 percent nicotine, but containing no nux vomica alkaloids; that the *Jaques' B C R* was an aqueous solution containing essentially potassium dichromate, potassium chlorate, tarry material, and a very small amount of aromatic camphoraceous oils; and that the *Jaques' Inhalant Spray* was an aqueous solution of formaldehyde and glycerin containing a small amount of aromatic camphoraceous oils.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the labels of the products and in circulars entitled "Information for Treating Poultry With Jaques' Remedies" which accompanied the *Jaques' Poultry Preparation*, the *Jaques' BCR*, and the *Jaques' Inhalant Spray* were false and misleading. These statements represented, suggested, and created the impression that the *Jaques' Poultry Preparation* when used as directed would be effective to treat bowel conditions of poultry and would be effective as a poultry regulator and conditioner; that the *Jaques' Worm Powder* when used as directed would be effective to remove round worms and ascarides from poultry; that the *Jaques' BCR* when used as directed would be effective in the treatment and prevention of respiratory diseases of poultry; and that the *Jaques' Inhalant Spray* when used as directed would be effective in the prevention and treatment of respiratory diseases of poultry and hogs. The articles would not be effective for the purposes claimed. The statement "Active Ingredients * * * Potassium Chlorate" borne on the label of the *Jaques' Poultry Preparation* and the statement "A Combination of * * * Nux Vomica Active Ingredients * * * Nux Vomica" borne on the label of the *Jaques' Worm Powder* were false and misleading since the former contained no potassium chlorate and the latter contained no nux vomica.

DISPOSITION: June 18, 1947. A plea of guilty having been entered, the court imposed a fine of \$100 on each of the 4 counts of the information.

2192. Misbranding of Occoton and Gemocco. U. S. v. Earl Rhine (Oelwein Chemical Co.). Plea of guilty. Fine, \$450 and costs. (F. D. C. No. 21440. Sample Nos. 19644-H, 50737-H, 51057-H.)

INFORMATION FILED: April 22, 1947, Northern District of Iowa, against Earl Rhine, trading as the Oelwein Chemical Co., Oelwein, Iowa.

ALLEGED SHIPMENT: On or about November 20, 1945, and February 23 and March 25, 1946, from the State of Iowa into the State of Minnesota.

PRODUCT: Analyses disclosed that the *Gemocco* was an aqueous solution containing water, potassium permanganate, aluminum sulfate, salt, and a small amount of potassium chlorate and hydrochloric acid; that a portion of the *Occoton* was an alkaline aqueous solution containing compounds of copper, sodium, ammonium, sulfate, and carbonate, together with capsicum; and that the remainder of the *Occoton* was an alkaline solution containing water, copper sulfate, sodium sulfate, sodium carbonate, and ammonium hydroxide, together with aromatic substances.

NATURE OF CHARGE: *Occoton*. Misbranding, Section 502 (a), certain statements on the label of the article, in a circular entitled "Feed the Occo Way," and in a book known as an "Instruction Book," accompanying the article, were false and misleading since they represented and suggested that the article would be efficacious as an alkalizer and alkaline astringent for hogs, poultry, and baby chicks; that it would be efficacious in the cure, mitigation, treatment, and prevention of simple anemia in hogs, poultry, and baby chicks, due to copper

deficiency; that when used with soaked oats it would act as a broom sweeping through the intestinal tract and remove the mucous membrane; that its ingredients possessed an antiseptic power which would check and heal necrotic areas; that it would work through the blood stream and intestines; that it possessed a double action; that it would be effective in the prevention of all diseases, ailments, and abnormal conditions of swine; that it would be efficacious in the cure, mitigation, treatment, and prevention of necro; and that it would be efficacious to prevent an anemic tendency in suckling pigs and necrotic conditions in the new pig crop. The article would not be efficacious for the purposes represented.

Gemocco. Misbranding, Section 502 (a), the statement "Recommended as an antiseptic to be added to drinking water," the name "*Gemocco*," and the statements containing directions for use displayed upon the label of the article were false and misleading since the name and statements represented and suggested that the article when used as directed would be effective as an internal antiseptic and germicide. The article would not be effective for such purposes.

DISPOSITION: April 22, 1947. A plea of guilty having been entered, the court imposed a fine of \$150, plus costs, on each of the 3 counts of the information.

2193. Misbranding of Remrow Water Wormer and Guardex. U. S. v. Liberty Oil Company, Inc. Plea of guilty. Fine, \$55 and costs. (F. D. C. No. 21449. Sample Nos. 21600-H, 51046-H, 66801-H.)

INFORMATION FILED: February 6, 1947, Southern District of Iowa, against the Liberty Oil Company, Inc., Des Moines, Iowa.

ALLEGED SHIPMENT: On or about September 9, 1945, and February 6 and 15, 1946, from the State of Iowa into the States of Nebraska and Minnesota.

PRODUCT: Analysis showed that the *Remrow Water Wormer* was an aqueous solution containing iron, sodium, sulfates, carbonates, calcium, magnesium, potassium, manganese, chloride, and phosphates, but containing no phenothiazine; and that the *Guardex* consisted of an alkaline aqueous suspension of salts of iron, calcium, sodium, magnesium, sulfate, and carbonate, with traces of phosphates, chlorides, potassium, and manganese, but containing no phenothiazine.

LABEL, IN PART: "*Remrow Water Wormer*," or "*Guardex*."

NATURE OF CHARGE: *Remrow Water Wormer*. Misbranding, Section 502 (a), the following statements on the jug label were false and misleading: "*Remrow* (Spell it backwards, it spells Wormer) Water Wormer Watch Results For Hogs, Cattle, Sheep, Horses, Poultry and pet Stock. To aid in the removal of Large Round Worms * * * Important: Be sure that livestock and poultry receive no other water while treatment is under way. Do not expect to see whole worms expelled. Action of Water Wormer instead tends to help disintegrate worms and worm eggs in the system. You should see improvement in appetite, assimilation and appearance. If patients tend to become re-infected, repeat treatment in 45 to 60 days when and if needed. Do not feed milk or buttermilk while treating * * * [Directions given for treatment of pigs, cattle, sheep, horses, other livestock, and poultry]." The statements represented, suggested, and created in the mind of the reader the impression that the article would be effective in the removal of worms and worm eggs from hogs, cattle, sheep, horses, goats, poultry, and pet stock, whereas it would not be effective for such purposes.

Guardex. Misbranding, Section 502 (a), the following statements on the jug label were false and misleading: "*Guardex* for hogs, Cattle, Sheep, Horses and Poultry Indicated in the Removal of Large Round Worms * * * [Directions for treatment of pigs, sheep, hogs, horses, cattle, and poultry] IMPORTANT: Do not expect to see worms. You should see improvements in appetite, assimilation and appearance before six days are completed. *Guardex* tends to help disintegrate worms and worm eggs in animal system." The statements represented, suggested, and created in the mind of the reader the impression that the article would be effective in the removal of large round worms from hogs, cattle, sheep, horses, and poultry, whereas it would not be effective for such purposes.

DISPOSITION: April 28, 1947. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$55, plus costs.